

ELECTRONICALLY FILED

August 1, 2006

STUTMAN, TREISTER & GLATT, P.C.
 FRANK A. MEROLA
 (CA State Bar No. 136934)
 EVE H. KARASIK
 (CA State Bar No. 155356)
 ANDREW M. PARLEN
 (CA State Bar No. 230429), Members of
 1901 Avenue of the Stars, 12th Floor
 Los Angeles, California 90067
 Telephone: (310) 228-5600
 Facsimile: (310) 228-5788
 Email: fmerola@stutman.com

SHEA & CARLYON, LTD.
 JAMES PATRICK SHEA
 (Nevada State Bar No. 000405)
 CANDACE C. CARLYON
 (Nevada State Bar No. 002666)
 SHLOMO S. SHERMAN
 (Nevada State Bar No. 009688)
 233 South Fourth Street, Second Floor
 Las Vegas, Nevada 89101
 Telephone: (702) 471-7432
 Facsimile: (702) 471-7435
 Email: jshea@sheacarlyon.com

ekarasik@stutman.com
aparden@stutman.com

ccarlyon@sheacarlyon.com
ssherman@sheacarlyon.com

Counsel for the Official Committee Of
 Equity Security Holders Of USA Capital First Trust Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:
 USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

) BK-S-06-10725-LBR
 Chapter 11

In re:
 USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

) BK-S-06-10726-LBR
 Chapter 11

In re:
 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
 Debtor.

) BK-S-06-10727-LBR
 Chapter 11

In re:
 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

) BK-S-06-10728-LBR
 Chapter 11

In re:
 USA SECURITIES, LLC,
 Debtor.

) BK-S-06-10729-LBR
 Chapter 11

Affects

- ☐ All Debtors
☐ USA Commercial Mortgage Co.
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed
☒ USA First Trust Deed Fund, LLC

Hearing

Date: August 31, 2006
 Time: 9:30 a.m.
 Place: Courtroom #1

**NOTICE OF OMNIBUS OBJECTION OF THE OFFICIAL COMMITTEE OF EQUITY
 SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC TO
 CLAIMS BASED ON PREPETITION EQUITY SECURITY INTERESTS OF USA
 CAPITAL FIRST TRUST DEED FUND, LLC (AFFECTS DEBTOR USA CAPITAL
 FIRST TRUST DEED FUND, LLC AND CLAIMANTS CONCETTA CARNICELLI,
 JOSEPH GRGURICH; FRIEDA MOON, LOUIE AND CHARLOTTE POLANCO,
 ROCCO J. ROCCO, MARGARET VALLI, SHARON C. VAN ERT, AND HEINRICH
RICHARD AND BRIGITTE S. WEBER)**

PLEASE TAKE NOTICE that on August 1, 2006, the "Omnibus Objection Of The Official Committee Of Equity Security Holders Of USA Capital First Trust Deed Fund, LLC To Claims Based On Prepetition Equity Security Interests Of USA Capital First Trust Deed Fund, LLC" (the "Objection") was filed by the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the "FTDF Committee"). Pursuant to the Objection, the FTDF Committee seeks the reclassification of certain proofs of claim (the "Equity Interests") on the grounds that they do not reflect "claims" against USA Capital First Trust Deed Fund, LLC (the "FTDF") as that term is defined in Bankruptcy Code section 101(5). Rather, the Equity Interests reflect "equity security" interests based on the membership interests in the FTDF. The Equity Interests and the requested treatment of such claims by the FTDF Committee are as follows:

Claim No.	Claimant	Date Filed	Claim Amount	Proposed Disposition
2	Joseph Grgurich	April 27, 2006	\$25,000.00	Reclassify as proof of interest.
6	Frieda Moon FBO Sharon C. Van Ert	May 23, 2006	\$35,583.34	Reclassify as proof of interest.
7	Frieda Moon FBO Sharon C. Van Ert	May 23, 2006	\$17,538.18	Reclassify as proof of interest.
17	Concetta Carnicelli or Margaret Valli JT WROS	June 23, 2006	\$45,000.00	Reclassify as proof of interest.
19	Louie and Charlotte Polanco	June 23, 2006	\$13,110.26	Reclassify as proof of interest.
20	Joseph Grgurich	June 23, 2006	\$25,000.00	Reclassify as proof of interest.
25	Rocco J. Rocco	July 7, 2006	\$10,132.00	Reclassify as proof of interest.
26	Heinrich Richard Weber and Brigitte S. Weber	July 21, 2006	\$30,275.00	Reclassify as proof of interest.

1 **PLEASE TAKE FURTHER NOTICE** that the hearing on the Objection will be
2 held before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in the Foley Federal
3 Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on August 31,
4 2006, at the hour of 9:30 a.m.

5 **PLEASE TAKE FURTHER NOTICE** that any response to the Objection must
6 be filed by **August 24, 2006** pursuant to Local Rule 3007(b), which states:


7 If an objection to a claim is opposed, a written response must be filed and served
8 on the objecting party at least 5 business days before the scheduled hearing. A response
9 is deemed sufficient if it states that written documentation in support of the proof of
claim has already been provided to the objecting party and that the documentation will be
provided at any evidentiary hearing or trial on the matter.

10 If you object to the relief requested, you *must* file a **WRITTEN** response to this
11 pleading with the court. You *must* also serve your written response on the person who sent you
12 this notice.

13 If you do not file a written response with the court, or if you do not serve your
14 written response on the person who sent you this notice, then:

15 ! The court may *refuse to allow you to speak* at the scheduled hearing; and
16 ! The court may *rule against you* without formally calling the matter at the
17 hearing.

18
19 DATED: August 1, 2006


Andrew M. Parlen, Esq.
Stutman, Treister & Glatt
Professional Corporation
Counsel to the Official Committee of Equity
Security Holders of USA Capital First Trust
Deed Fund, LLC